

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

Civil Action No. 3:18-cv-000535

PATRICK UDOEWA, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

ETTAIN GROUP, INC.,

Defendant.

NOTICE OF SETTLEMENT

Pursuant to the Court's April 8, 2019 Order (Dkt. Entry 24) Plaintiff Patrick Udoewa ("Plaintiff") and Defendant ettain group, Inc. ("Defendant" or "Ettain")(collectively, the "Parties"), by and through counsel, hereby notify the Court that the Parties have reached a settlement, in principle, resolving the claims presented in this action under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, ("FLSA") on a collective basis, and respectfully request additional time in which to finalize the settlement documentation, including the motion for Court approval of the instant FLSA collective settlement. In support of this request, the Parties state as follows:

1. On April 8, 2019, the Court entered an Order allowing the Parties until May 24, 2019, to conduct the Initial Attorneys' Conference or, alternatively, file a "Notice of Settlement." *See* Dkt. Entry 24.
2. The Parties have negotiated a settlement resolving the FLSA claims presented on a collective basis.

3. The Parties require some additional time in which to finalize the settlement paperwork, and prepare and submit to the Court an unopposed motion for approval of the collective settlement. *See e.g., Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350 (11th Cir. 1982).

4. Accordingly, and in the interest of judicial economy, the Parties respectfully request that the Court suspend the current May 24, 2019, deadline to conduct the Initial Attorneys' Conference, as the Parties' settlement eliminates the need for a discovery and case management plan, and allow the Parties up to and including June 28, 2019, to submit the Parties' proposed settlement to the Court for approval.

5. This request is made in good faith and not for purposes of delay.

A proposed Order is attached hereto as Exhibit A.

This the 24th day of May 2019.

/s/ Philip J. Gibbons, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2019, I filed electronically the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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This the 24th day of May 2019.

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